

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CLARENE EUGENE JONES,

Case No. 2:21-cv-00003-YY

Plaintiff,

v.

C/O WEBSTER,

Defendant.

**NOTICE OF LAWSUIT AND REQUEST FOR
WAIVER OF SERVICE OF SUMMONS**

TO: ELLEN ROSENBLUM
ATTORNEY GENERAL

Plaintiff, a prisoner proceeding *pro se* and *in forma pauperis*, has commenced a lawsuit against the following individual(s) which the Court believes you represent: **C/O WEBSTER**. A copy of the Complaint is attached to this Notice. This Court concludes that Plaintiff has a reasonable opportunity to prevail on one or more claims and Defendants must therefore file an answer or other responsive pleading. *See 42 U.S.C. § 1997e(g)(2).*

This is not a formal summons. It is a request that, to avoid expenses, you waive service of a summons on behalf of Defendants by signing and returning the attached Waiver. To avoid these expenses, you must return the signed Waiver within thirty days from the date shown below.

If Defendants waive service, this action will proceed as if Defendants had been served on the date the Waiver is filed, but no summons will be served on Defendants. Because the Court seeks to

expedite the resolution of prisoner cases, execution of a waiver form does *not* increase the time in which Defendants must file an answer or responsive pleading. *See* Fed. R. Civ. P. 12(a)(1)(A).

If you do not wish to waive service on behalf of any or all of the Defendants, please indicate this on the waiver form. The Court will, in turn, order the U.S. Marshals Service to serve the Complaint on the appropriate Defendants.

NOTICE: If Plaintiff is confined at the Snake River Correctional Institution (SRCI) or the Two Rivers Correctional Institution (TRCI), or is transferred to either of these facilities during the course of this proceeding, he must participate in the Court's E-Filing Pilot Program. In that event, Defendants must accept electronic service of all Court filings by Plaintiff. Further, Defendants need not mail a paper copy of their pleadings to Plaintiff. SRCI and TRCI staff will provide Plaintiff a copy of all electronic filings. See Standing Order No. 2019-12.

IT IS SO ORDERED.

DATED this 3rd day of February, 2021.

/s/ Youlee Yim You

Youlee Yim You
United States Magistrate Judge

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DISTRICT OF OREGON

CLARENCE EUGENE JONES,

Case No. 2:21-cv-00003-YY

Plaintiff,

v.

C/O WEBSTER

Defendant

WAIVER OF SERVICE FORM

TO: The U.S. District Court for the District of Oregon

I have received the Court's request to waive service of a summons in this action along with a copy of the Complaint. I agree to save the cost of serving a summons and complaint in this case on behalf of the following Defendants:

_____;

Defendants shall retain all defenses or objections to the lawsuit, the Court's jurisdiction, and the action, but Defendants waive any objection to the absence of a summons or of service.

The above-named Defendants must file and serve an answer or a motion under Rule 12 within the time limitations set forth in Fed. R. Civ. P. 12(a)(1)(A). I understand that because the Court seeks to expedite the resolution of prisoner cases, execution of a waiver form does *not* increase the time in which to file an answer or responsive pleading.

I decline to waive service on behalf of the following Defendants:

_____; _____;
_____; _____;
_____; _____;

DATE

Signature

Printed Name